

CHAPTER 6 PARKING LOTS

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600 ADMINISTRATION AND ENFORCEMENT

- 600.1 No person, firm, corporation, co-partnership, association, trustee, or administrator shall engage in any of the business designated in this chapter without first having obtained a license under this chapter.
- 600.2 All licenses shall be issued by the Director of Consumer and Regulatory Affairs, or the Director's agent, representative, or designee.
- 600.3 The following are grounds for revocation of a license issued under this chapter, as provided in the License Law of the District of Columbia (D.C. Code §§47-2801 *et seq.*):
- (a) Continuous complaints of failure of any owner or manager to pay judgments obtained in connection with the theft of vehicles from any licensed premises;
 - (b) Continuous complaints of the failure of any owner or manager to pay judgments obtained in connection with damages received to vehicles while on the premises; and
 - (c) Persistent failure to comply with any of the provisions of this chapter.
- 600.4 Any violation of any of the provisions of this chapter shall subject the offender to the penalties prescribed in D.C. Code §47-2846.

- 600.5 Any person who makes any false or misleading statement in the filing of any information required under this chapter shall be subject to the penalties prescribed in D.C. Code §47-2846.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §7 of An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, 32 Stat. 622, ch. 1352, §7, par 1, approved July 1, 1902; as amended by An Act approved July 1, 1932, 47 Stat. 550, ch. 366, D. C. Code 47-2801 *et seq.* (1990 Repl. Vol.).

SOURCE: Article 28, §§3 & 4 of the Police Regulations (1981).

601 PARKING LOT LICENSE

- 601.1 Owners or managers of buildings, premises, establishments, garages, gasoline stations, lots, grounds, and other places, or parts of these places, where vehicles of any description are stored or kept for other people, for profit or gain, shall obtain a yearly license and pay a yearly license fee, as set forth in this section, except as provided in §601.2.
- 601.2 Where the area of a parking lot is not more than five hundred square feet (500 ft.²), the provisions of this chapter do not apply.
- 601.3 Where the area of a parking lot is less than four thousand square feet (4,000 ft.²), the owner or manager of the parking lot shall obtain a license and pay a license fee of ten dollars (\$10) per year.
- 601.4 Where the area of a parking lot is more than four thousand square feet (4,000 ft.²), but less than sixteen thousand square feet (16,000 ft.²), the owner or manager of the parking lot shall obtain a license and pay a license fee of fifteen dollars (\$15) per year.
- 601.5 Where the area of a parking lot is sixteen thousand square feet (16,000 ft.²) or more, the owner or manager of the parking lot shall obtain a license and pay a license fee of twenty-five dollars (\$25) per year.
- 601.6 Each license shall date from November 1st of each year, and expire on the October 31st. A license may be otherwise prorated as provided for in D.C. Code §47-2805.
- 601.7 Each license shall be good only for the specific designation on the license, as provided in §§601.3 through 601.5.
- 601.8 Where more than one (1) of the designations of parking lots is conducted or operated by any one (1) person, the license fee shall be paid for each type of business designation.

SOURCE: Article 28, §§1(a), (b) & (c) of the Police Regulations (1981).

602 APPLICATION FOR LICENSE

- 602.1 No license for a parking lot issued under the provisions of this chapter shall be issued until application is made to the Director of Consumer and Regulatory Affairs, upon a form furnished by the Director.
- 602.2 Each application shall be signed by the owner or manager of each business and shall correctly set forth the information required on the application form.
- 602.3 Each applicant shall correctly state the following:
- (a) The ownership and location of the building, premises, ground, establishment, garage, gasoline station, lot, or other place (or the parts of that place) to be used for the storage and keeping of vehicles;
 - (b) The area in square feet (ft.²) to be used in the business;
 - (c) A description of the curbing or fence to be maintained as required under §606 of this chapter; and
 - (d) Any other information deemed necessary and appearing on the application form that is provided.
- 602.4 Each application shall be accompanied by a plat, prepared by the District Surveyor, showing the size and area of the land; and showing any driveways, copings, fences, and structures that the applicant wishes to place on the land.
- 602.5 No license shall be issued unless approved by the District Fire Marshal or the Assistant Fire Marshall, and until an occupancy certificate under the zoning laws and regulations has been obtained.
- 602.6 In cases where structures exist or are to be erected, the approval of the appropriate building inspector must be obtained.
- 602.7 Where fences, copings, or driveways are required, they must meet the requirements of the Department of Public Works.

SOURCE: Article 28, §§1(d), (e) & (f) of the Police Regulations (1981).

603 NON-RESIDENT LICENSEES

- 603.1 No license to operate a parking lot business shall be issued to a person who is not a resident of the District of Columbia unless that nonresident, as a condition to the issuance of the license, appoints or employs as his or her agent a person who is a resident of the District or who has a place of business in the District, and upon whom may be served all notices and court processes in connection with or arising out of the licensee's business operation.
- 603.2 The appointment or employment of an agent shall be maintained during the period of time for which a license is issued.

- 603.3 Whenever any change is made in the appointment or employment of the agent required by this section, the licensee shall deliver to the Director a written notice of the change not less than five (5) days after the change.
- 603.4 The initial appointment or employment of an agent by a non-resident applicant for a license to operate a parking lot business shall be shown on the application for license, and the designated agent shall certify on the application that he or she has agreed to act as an agent for the licensee.
- 603.5 When any appointment or employment of an agent required by this subsection is made subsequent to the filing of an application for a license to operate a parking lot business, or subsequent to the issuance of a license, the licensee shall deliver to the Director a written notice of the appointment or employment not later than five (5) days after the appointment or employment. The notice shall bear certification by the designated agent that he or she has agreed to act as an agent for the licensee.
- 603.6 The Director, upon finding that an agent designated by a licensee in accordance with the requirements of this section is not, after reasonable search, to be found in the District for the purpose of serving the licensee any notice or process required to be served, may institute a proceeding for the suspension or revocation of the license issued to the licensee; and notice of the suspension or revocation shall be effective if mailed to the last known address of the licensee appearing in the District's records.

SOURCE: Article 28, §(g) of the Police Regulations (1981).

604 TRANSFER AND MODIFICATION OF LICENSES

- 604.1 Licenses may be transferred as provided for in D.C. Code §47-2801.
- 604.2 Upon any change in the ownership or management of the licensed business, the licensee shall immediately notify the Director of that fact.
- 604.3 The owner, resident general agent, or attorney, as the case may be, shall be responsible for the conduct of the business after a change in ownership or management until a new application is filed or the license is transferred.

SOURCE: Article 28, §1(h) of the Police Regulations (1981).

605 CONSTRUCTION AND FIRE SAFETY

- 605.1 Garages, gasoline stations, and buildings shall at all times comply with the fire prevention laws and regulations of the District of Columbia.
- 605.2 Lots or grounds of four thousand square feet (4,000 ft²) or less shall be provided with two (2) fire extinguishers.
- 605.3 Lots or grounds from four thousand square feet (4,000 ft²) to sixteen thousand square feet (16,000 ft²) shall be provided with four (4) fire extinguishers.

- 605.4 Lots or grounds of sixteen thousand square feet (16,000 ft.²) or more shall be provided with six (6) fire extinguishers.
- 605.5 No frame structure shall be erected, constructed, or maintained upon any parking lot or ground that is more than forty square feet (40 ft.²) in area, and then only upon special permit from the Mayor.

SOURCE: Article 28, §§2(c) & (d) of the Police Regulations (1981).

606 FENCING AND COPING BARRIERS

- 606.1 No license shall be issued for any lot or ground abutting public space, not including public alleys, unless the division line between the public space and the lot or ground is marked by the coping or fence required under this section.
- 606.2 The coping or fence required under this section shall be built entirely on private property.
- 606.3 Coping shall consist of a regulation eight inch (8 in.) coping made of concrete.
- 606.4 Fencing shall be of an approved design, not less than two feet six inches (2 ft. 6 in.) in height; and may be made of cable, bar, wire, or chain construction with concrete, iron, pipe, or wood posts.
- 606.5 Failure to erect or maintain the coping or fence required under this section shall be a violation of this chapter.

SOURCE: Article 28, §2(e) of the Police Regulations (1981).

607 DRIVEWAYS

- 607.1 Where driveways over public space are necessary, permits for the driveways shall not be issued until construction work required under §606 of this chapter has been completed.
- 607.2 Driveways shall be constructed of concrete, and shall meet the specifications of the Department of Public Works.
- 607.3 Businesses abutting on one (1) street shall be limited to two (2) driveways, and businesses abutting on two (2) or more streets shall be limited to three (3) driveways.
- 607.4 Circular curb driveways are required for gasoline stations and lots or grounds licensed under this chapter; Provided, that this subsection shall not apply to a lot or grounds less than four thousand square feet (4,000 ft.²) in area.

SOURCE: Article 28, §2(f) of the Police Regulations (1981).

608 GRADING AND PAVING

608.1 Lots and grounds paved with impervious material shall be graded and provided with approved drains so that no drainage will flow across the sidewalk.

608.2 No paving shall be done without first obtaining permit from the Department of Public Works.

SOURCE: Article 28, §2(g) of the Police Regulations (1981).

609 INSPECTION OF PREMISES

609.1 Licensed premises shall be open during business hours to inspection by agents of the District government.

609.2 No person shall obstruct or interfere with any District agent when the agent is on official inspection business.

SOURCE: Article 28, §2(b) of the Police Regulations (1981).

610 STORAGE OF VEHICLES

610.1 At the time of the acceptance of the motor vehicle for storage in or upon a licensed premise, the licensee shall supply a claim check or receipt to the person leaving the vehicle for storage.

610.2 Each claim check or receipt shall be distinctly numbered to correspond with a coupon that shall be placed upon the motor vehicle during the time the vehicle is stored.

610.3 Each claim check shall show on its face the following:

- (a) The personal or business name of the licensee; and
- (b) The street address of the premise where the vehicle is stored.

610.4 When any motor vehicle remains upon the premise operated by a licensee for a continuous period in excess of seventy-two (72) hours, the licensee shall, not later than the beginning of the next day of business after expiration of the seventy-two (72) hours, notify the Chief of Police or the Chief's designated agent of the fact that the motor vehicle has not been claimed, except as provided in §610.6.

610.5 No vehicle having been accepted by any licensee shall, during the term of storage or during the business hours, be removed or caused to be removed without the knowledge or consent of the owner of the vehicle, or the owner's agent, except as provided in §610.6.

610.6 The provisions of §§610.4 and 610.5 shall not apply in the case of vehicles stored under weekly or monthly contracts.

610.7 On premises not having motor vehicle servicing facilities, or that use overflow premises for storage, a notice or sign shall be erected and maintained in a conspicuous place notifying the public of the fact that vehicles are stored off-premises.

610.8 No vehicle shall be parked or caused to be parked so that it or any part of it is on or projects over public space, except as provided in chapter 2 of this title.

SOURCE: Article 28, §§2(i), & (j) of the Police Regulations (1981).

611 OPERATING REQUIREMENTS

611.1 Each parking lot licensed under this chapter shall be kept free from broken glass and other articles and things that would cut or injure the tires on vehicles parked on the lot.

611.2 At all times, licensees shall keep sidewalks, parkings, or any public space immediately abutting the licensed premises, free and clear of dirt, gravel, mud, stones, grease, and oil.

611.3 While on public space, no person shall solicit any person to park an automobile.

611.4 While on private property, no person shall solicit any person on public space to park an automobile unless the solicitation is one to park an automobile on private premises for which there is outstanding a valid parking lot license.

611.5 Notwithstanding the provisions of §611.4, no person soliciting another to park an automobile shall solicit in such manner as to create a traffic hazard, or obstruct or interfere with the free passage of pedestrians or vehicles.

SOURCE: Article 28, §§1(h), 2(h) & 7 of the Police Regulations (1981).

612 PARKING LOT SIGNS AND NOTICE OF PARKING FEES

612.1 In all areas other than those zoned only for residential use, each licensee shall place and maintain a legible and conspicuous sign that is clearly visible from every entrance to the licensed premises. Each sign shall state the name of the licensee and the hours of the day and night during which the premises are open and attended for the storage of vehicles; and it shall comply with all applicable regulations in force in the District of Columbia.

612.2 Each sign shall also state, in letters not less than four inches (4 in.) high, the hourly and daily rates charged for the storage of vehicles on the paid premises.

612.3 No licensee shall charge, or permit to be charged, any greater fee than is posted at the time of entry. Rates applicable to weekly or monthly contracts, however, need not be posted.

- 612.4 The provisions of this section shall also apply to parking lots located in residential zones, except that each sign shall conform to the sign regulations applicable to residential zones.

SOURCE: Article 28, §2(k) of the Police Regulations (1981).

613 - 614 [RESERVED]

615 PARKING LOT ATTENDANTS

- 615.1 Except as permitted in §615.2, any person employed to park or supervise the parking of automobiles on an outdoor parking lot, or who parks or supervises the parking of automobiles on an outdoor lot, must possess a parking attendant's license.
- 615.2 The owner or operator of a parking lot, or the owner's duly authorized agent, may employ an individual who does not hold parking attendant's license, but who does hold a D.C. Motor Vehicle Operator's Permit, to park or supervise the parking of automobiles on an outdoor parking lot for not more than seventy-two (72) hours before the submission by the attendant of an application to the Director, and upon the issuance by the Director of a receipt prescribed in this section.
- 615.3 The licensee shall carry the license issued under this section on his or her person at all times while engaged in the licensed occupation.
- 615.4 The licensee shall exhibit his or her license on demand to any customer of the parking lot, or to any authorized representative of the District government.
- 615.5 A fee of one dollar (\$1) shall be charged for each license issued under the provisions of this section.
- 615.6 The Director shall deliver to each licensee a badge showing the serial number of the license issued. The applicant shall not be charged any additional fee for this badge.
- 615.7 Each licensee shall attach the badge provided by the Director to his or her coat or shirt in a manner that conspicuously displays the badge at all times when the licensee is engaged in the employment permitted by the license.
- 615.8 The license issued to any individual may be revoked at any time in accordance with the terms of D.C. Code §47-2844.
- 615.9 No person shall be issued a parking lot attendant's license unless he or she possesses a valid motor vehicle operator's permit from the District of Columbia.

- 615.10 No person shall operate a motor vehicle under the authority of a parking lot attendant's license unless the person also has been issued, and has in his or her possession at the time of operating the motor vehicle, a valid D.C. Motor Vehicle Operator's Permit on which, in the space set aside for "restrictions," the Director has certified over his or her signature the following statement:

**"The holder of this permit possesses parking lot attendant's
license No. _____ expiring _____."**

SOURCE: Article 28, §§5(a), (b), (d) & (e) of the Police Regulations (1981).

616 APPLICATION FOR PARKING LOT ATTENDANT'S LICENSE

- 616.1 Any individual desiring a parking attendant's license shall fill out, upon a form prescribed for that purpose by the Director, an application on which shall be stated the following:
- (a) The applicant's full name and address;
 - (b) The applicant's color of hair and eyes;
 - (c) The applicant's date of birth and sex;
 - (d) The number and date of expiration of the applicant's D.C. Motor Vehicle Operator's Permit; and
 - (e) A statement of whether the applicant has ever been convicted of a felony or misdemeanor.
- 616.2 The application shall be accompanied by a set of the applicant's fingerprints.
- 616.3 On receipt of the application, the Director shall at once issue to the applicant a receipt, certifying that the application has been received.
- 616.4 Upon the approval of the application by the Chief of Police and by the Director, the Director shall issue to the applicant a license for one (1) year (or part of a year), expiring on the next October 31st that succeeds the issuance date.
- 616.5 When an applicant for a parking attendant's license has submitted his or her application and has been issued the receipt by the Director, as provided in this section, that receipt shall have the full force and effect of a license until the Director either issues the license or denies the application.

SOURCE: Article 28, §§5(b) & 9c) of the Police Regulations (1981).

617 NON-DRIVING PARKING LOT ATTENDANTS

- 617.1 Notwithstanding the requirements of §615.9 of this section, when an application for a parking lot attendant's license is accompanied by the following, the Director

may waive the requirement that the applicant possess a valid D.C. Motor Vehicle Operator's Permit:

- (a) An affidavit from the owner or operator of the parking establishment at which the applicant is to be employed stating that the applicant will, under no circumstances, be required or allowed to operate a motor vehicle while he or she is employed as a parking attendant in that establishment; and
- (b) An affidavit from the applicant stating that the applicant will not operate any motor vehicle while he or she is employed as a parking attendant.

617.2 Any parking lot attendant excepted from the requirement for a valid D.C. Motor Vehicle Operator's Permit shall have clearly indicated on his or her license badge information identifying the attendant as a person not authorized to operate a motor vehicle in the course of his or her employment.

617.3 The operation of a motor vehicle in the course of employment by a parking attendant excepted from the requirement that he or she possess a valid D.C. Motor Vehicle Operator's Permit shall constitute a violation of this chapter. Conviction of this violation shall constitute grounds for the revocation of the license issued to the attendant.

SOURCE: Article 28, §5(b) of the Police Regulations (1981).